

Department of Public Safety - Commonwealth of Massachusetts

One Ashburton Place – Boston – MA 02108
Board of Elevator Regulations – Hearings
Minutes – January 29, 2013

PRESENT:

John Caughey, Chair	David Gaudet, Member	Sue Genduso, Admin Asst.
Walter Zalenski, Designee, DPS	Cheri Davis, Member	John O'Donoghue, Member
Harold McGonagle, Member	Deborah Ho, Program Coordinator, DPS	

ABSENT/EXCUSED

Kevin McGettigan, Member	Michael Nicoloro, Member
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- I. Meeting is called to order by John Caughey at 1:00PM introduction of the board members – a quorum is present; - Review minutes for January 22, 2013– motion has been put forth by Walter Zalenski to approved the minutes – seconded by David Gaudet – vote: 6-2 approved – absent: Kevin McGettigan/Michael Nicoloro

II. Marr Crane & Rigging Company

John Robertson, II

David Marr, Marr & Crane Rigging

Ed Loder, Elevator Technology

The Petitioner is seeking a variance on 524 CMR 17.15 – platform size that exceeds the regulations – the petitioner is seek to install a large platform size to safely move materials to working height – the platform will hold 7000 pounds – and will not exceed the weight – the cars will have an overload sensing system to detect the overload and the car will not move until the load has been corrected to the proper capacity – a motion has been put forth by David Gaudet to grant the variance of a larger platform - manufacturer Alimak – Scando 650 FCS 31/50*

Motioned:	David Gaudet
Seconded:	John O'Donoghue
Vote:	6-2 Variance granted – with provisions*
Absent:	Kevin McGettigan/Michael Nicoloro

III. All American Self-Storage – 14 Mill St – Natick 198-V-322 & 323

Raj Malhotra, All American Self-Storage

Louis Chippendale, Westport Properties

The Petitioner is seeking a variance based on the Inspector's report - 524 CMR 32.00 – 12 – should not have to prevent use by “the Public” at the facility – it is a controlled access facility – the people using the VRC's are leasing the spaces – a motion has been put forth by David Gaudet to deny the variance – the inspector's report will be abated – items numbers 2 & 3* – must have signage placed on unto to prevent VRC usage by an untrained personnel and a training log must be maintained in machine space

Motioned:	David Gaudet
Seconded:	Cheri Davis
Vote –	3-2-1-2 Variance denied with provisions* Opposed: John O'Donoghue Walter Zalenski; Abstained: Harold McGonagle
Absent:	Kevin McGettigan/Michael Nicoloro

IV. FHRC Management Corp for Clarendon Tower – 1374 Broadway - Somerville

Linda Hamilton, FHRC Management

Robert Catter, FHRC Management

Exhibit 1 – Report by Syska Hennessy –

Exhibit 2 – Copy of MGL Chapter 143 Section 65

Exhibit 2 – Photos – two (2)

The Petitioner is seeking relief based on the Inspector's report pertaining to two Vertical Reciprocating Conveyors – in which, they were shut down – petitioners is requesting additional time to determine a feasible solution to bring the lifts into compliance – a motion has been put forth by Walter Zalenski to have the Supervisor of Elevator Inspections to investigate and determine the conditions of the two Vertical Reciprocating Conveyors*

Motioned: Walter Zalenski
Seconded: Harold McGonagle
Vote: 6-2 – to investigate the conditions*
Absent: Kevin McGettigan/Michael Nicoloro

V. Hartman Residence – 37 Stevens Lake Rd – Monterey

Robert E. Harrison, Harrison Design

The Petitioner is seeking a variance for a new installation based on 524 CMR 23.04 “Hoistway Doors shall be not less than 6’ 6” at 37 Stevens Lake Road – the access of the elevator will start from the basement walk-out front – a motion has put forth by David Gaudet to grant the variance for 5’ 11” door at the basement level only

Motioned: David Gaudet
Seconded: Harold McGonagle
Vote: 6-2 Variance granted
Absent: Kevin McGettigan/Michael Nicoloro

VI. Fall River Housing – Holmes Apartment – 140 Essex St – Fall River - 95-P-58

Peter Proulx, Fall River Housing Authority

Exhibit 1 – Photographs – thirteen (13)

The Petitioner is seeking a variance based on the Inspector's report – 524 CMR 17.06 – remove all non-elevator equipment, raceways, pipe drains and ceiling from the machine room – all non-elevator equipment has been boxed in – a motion has been put forth by Walter Zalenski to deny the variance – the item number 8 will be abated *

Motioned: Walter Zalenski
Seconded: Harold McGonagle
Vote: 6-2 Variance denied – work order to be abated*
Absent: Kevin McGettigan/Michael Nicoloro

VII. Ware Fire Headquarters – 200 West St – Ware – 309-P-48

Joe O’ Malley, Bay State Elevator

The Petitioner is seeking a variance based on the Inspector's report – related ASME A17.1 – 3.19.4.7.3 – the rupture valve exceeds the required distance from the jacks out of necessity – a motion has been put forth by John O’Donoghue to deny the variance

Motioned: John O’Donoghue
Seconded: Harold McGonagle
Vote: 6-1-2; Variance denied – Abstained – Cheri Davis
Absent: Kevin McGettigan/Michael Nicoloro

VIII. David Clark Company – 360 Franklin St – Worcester – 348-F-402

Vin Klimas, David Clark Company

Paul Hasbrouck, Worcester Elevator

Carl Nielsen, Worcester Elevator

Ed Sandell, Supervisor Elevator Inspector, Department of Public Safety

Exhibit 1 - Engineering Plan one (1)

The Petitioner is seeking to convert a freight elevator to a 2000lb passenger elevator – the unit has a double bottom cylinder – a motion has been put forth by Cheri Davis to grant the variance – existing double bottom cylinder to be utilized

Motioned:	Cheri Davis
Seconded:	John O'Donoghue
Vote:	6-2; Variance granted
Absent:	Kevin McGettigan/Michael Nicoloro

IX. Old Business

Avanti Wind Turbine

John Koshack

Permitting process is in the works – the Board of Elevator Regulations has presented a list of recommendations developed by both the Board of Elevator Regulations and the Department of Public Safety to ensure safety and code compliance

52 Church St - Cambridge

Jay Edwards, Delta-Beckwith Elevator

E J Lanni, Tribeca Builders

Walter Baranowski, Elevator Inspector, Department of Public Safety

On a scheduled inspection, the State Elevator Inspector found multiple deficiencies by the installer of the elevator, which is not within the scope of work that was presented to the Board of Elevator Regulations on November 27, 2012 – the installer had install a collapsible door and two (2) separate controls - as reported by the State Elevator Inspector, when the unit is in command to a certain floor, doors on other floors would open at the same time as the commanded floor – the installer is now asking for directions on how to be in code compliance – a motion has been put forth by David Gaudet to have the elevator installer (Delta-Beckwith) re-file a variance to the Board of Elevator Regulations

Motioned:	David Gaudet
Seconded:	Walter Zalenski
Vote:	6-2; a variance must be re-filed
Absent:	Kevin McGettigan/Michael Nicoloro

Winchendon Furniture - 13 Railroad St – Winchendon

The Petitioner is seeking an extension for bring the elevator up to code – unit has wooden guide rails – a motion has been put forth by David Gaudet to grant a one-time extension until July 2, 2013, to bring the elevator up to code

Motioned:	David Gaudet
Seconded:	Harold McGonagle
Vote:	6-2; One-time extension granted until July 1, 2013
Absent:	Kevin McGettigan/Michael Nicoloro

Submitted by:

Deborah Ho

January 30, 2012